

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:08CV426-03-W
(3:06CR43-2-W)**

TELISHA WATKINS,)
 Petitioner,)
) **v.**)
UNITED STATES OF AMERICA,)
 Respondent.)
_____)

ORDER

THIS MATTER is before the Court on the Petitioner's Application for a Certificate of Appealability, November 12, 2008 (Doc. No. 7.).

Petitioner filed a Motion to vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on September 16, 2008. (Doc. No. 1.) This Court denied Petitioner's Motion to Vacate on October 14, 2008. (Doc. No. 2.) On October 23, 2008, Petitioner filed a Notice of Appeal appealing this Court's denial of her Motion to Vacate and on November 4, 2008, this Court transmitted the record to the Fourth Circuit Court of Appeals. On November 12, 2008, Petitioner filed the instant Motion for Certificate of Appealability in this Court.

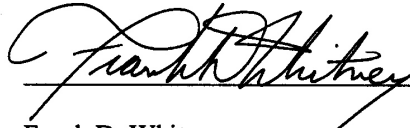
In light of the fact that Petitioner has filed a Notice of Appeal and the record has been forwarded to the Fourth Circuit Court of Appeals, this Court directs that Petitioner's Application for Certificate of Appealability be transmitted as a supplement to the Fourth Circuit for consideration by that Court.

THEREFORE, IT IS HEREBY ORDERED that Petitioner's Application for a Certificate of Appealability should be forwarded to the Fourth Circuit as a supplement for

consideration by the Fourth Circuit in conjunction with Petitioner's appeal of this Court's denial of her Motion to Vacate.

SO ORDERED.

Signed: February 10, 2009



Frank D. Whitney
United States District Judge

